

Indiana Emergency Response Commission
March 7, 2006
Indiana Government Center South
302 West Washington Street
Conference Center Room C

WELCOME AND INTRODUCTION

Chair Clifford Wojtalewicz called the meeting to order.

ROLL CALL TO ORDER

Cliff Wojtalewicz—Proxy, Chair IDHS
Bruce Palin—Proxy, IDEM
Mike Bigler—Proxy, State Fire Marshal
Major Tom Melville—Proxy, ISP

C. Richard Brown—Local Government
William Reed, Jr.—Public
Sherman Greer—Local Government
Dean Larson, Ph.D.—Public

The following commission members were absent:

James Prigden
Stephen Nash

Fred Armstrong
Steve Wettschurack

The following staff members were present:

Bradley Gavin—IDHS
Laura Steadham—IDEM

Ian Ewusi—IDEM/IDHS
Dolly Watkins—IDHS

QUORUM

A quorum was present.

CONSIDERATION OF MINUTES

Chair Wojtalewicz called for consideration of the minutes from the January 9, 2006, meeting. A motion was made by Commissioner Greer and seconded by Mr. Melville to accept the minutes without amendment. Following no discussion,
MOTION CARRIED.

REPORT OF THE CHAIR

Chair Wojtalewicz informed the commission that a letter has been sent to the governor's office recommending the appointment of four new commission members. He introduced four candidates, three of whom were present at the meeting: Ms. Carol Shelby to represent the public, Mr. Bernie Bier to represent local government, Mr. Robert Reilley to represent industry, and Mr. Michael Pace, who was not present, also to represent industry.

COMMITTEE REPORTS

Communications Committee—Mr. Sherman Greer, Chair

Commissioner Greer reported that the Communications Committee had met that morning at 11:00AM and discussed the feasibility and implementation of an IERC/LEPC internet-based communication system, an idea that was suggested at the October 2005 LEPC conference. He noted that the committee had looked at the background and scope of the proposal submitted and decided to invite the developers to give a formal presentation to the committee. Chair Wojtalewicz stated that IDHS had a job opening for an Information Director/Webmaster and that the position, when filled, could offer assistance.

Commissioner Greer stated that several LEPCs have indicated the need for the re-publication of the quarterly newsletter known as the SECULAR. As a result, the Communications Committee was proposing that the IERC work with IDHS to return to publication of this newsletter. Chair Wojtalewicz stated that the new Information Director could possibly assist.

Commissioner Greer also stated that the dates for the 2006 LEPC conference will be October 27–29, 2006. Chair Wojtalewicz stated that there may be an opportunity for IDHS to help sponsor the event.

A motion was made by Commissioner Greer and seconded by Commissioner Larson to provide \$5,000 to the Emergency Management Alliance of Indiana, the 2005 LEPC Conference organizers, to administer the conference luncheon. Following no discussion, **MOTION CARRIED.**

Technical Committee—Mr. Jim Pridgen, Chair

Commissioner Pridgen was absent, and Mr. Ewusi reported that the Technical Committee had not met and that there was nothing to report.

Policy Committee—Mr. Dean Larson, Chair

Commissioner Larson reported that the Policy Committee had not met. However, the committee was planning a joint meeting with the Training Committee on May 8, 2006. Commissioner Larson requested that the new IERC members be placed on committees as soon as possible.

Legislative Committee—Chair, Vacant

Mr. Brad Gavin passed out a Legislative Report and the new Executive Branch Lobbying rule and explained the rule and report as follows: Beginning January 1, 2006, all individuals who lobbied the Executive Branch of government, which would include LEPCs (with regards to procurement and purchasing items), had to register with the state as an executive branch lobbying group. House Bill 1099, regarding fireworks, was going to conference committee and would hopefully provide some money for IDHS to provide training to public safe service providers. House Bill 1007, regarding funding of

emergency warning systems under the Barrett Law, had no amendments in the House, so it would proceed to the governor for signature. House Bill 1238, regarding the emergency management mobile support, a bill that would make it easier for IDHS to deploy people to events such as Hurricane Katrina, would also proceed. Senate Bill 247, which does a number of things associated with IDHS, such as establishing the Indiana Intelligence Fusion Center to collect and distribute both criminal- and terrorism-based information, had been sent to the governor's office. Senate Bill 285, which established an Emergency Management Certification Program, was defeated in the House.

Training Committee—Mr. C.R. Brown, Chair

Commissioner Brown reported that the Training Committee had met and reviewed additional training certification documents submitted by three vendors who had applied to be added to the state's list of HAZMAT training providers. The committee recommended that Mr. Maynard Masters, Mr. Tim Thomas from TNT Enterprises, and members of the Saint Joseph County Fire Department be approved by the commission and added to the state's list of HAZMAT training providers.

The Training Committee had discussed how to address listing individuals as well as new companies on the state's list of HAZMAT training providers. It was suggested that the Technical and the Policy Committees would have to address this issue and provide a policy recommendation. This would allow LEPCs to efficiently and effectively meet their HAZMAT training needs. Mr. Mike Bigler expressed concern about smaller county response agencies not receiving adequate training if instructor certification levels were not standardized.

The Training Committee also had discussed how to approve accidents involving hazardous materials, which require county emergency responders, as acceptable LEPC exercises. The committee decided to look further into this issue and report to the commission at a later date.

Fiscal Committee—Chair, Vacant

Mr. Ian Ewusi reported that the fiscal committee had not met. Mr. Ewusi stated that with regards to the Hazardous Materials Emergency Planning grant, twenty-seven (27) LEPCs had applied for this grant for funds spent during the 2004–2005 period. He mentioned that it had been a challenge to ensure that all the applications received indeed met the federal parameters of the funding requirements. He also stated that twenty-two (22) LEPCs applied for the grant the previous year, and he anticipated that the number of applicants would increase since he was still receiving late applications. He explained that the funds would be divided among the qualified LEPC applicants, so the grant amounts to each applicant would vary from year to year. Commissioner Greer asked if the amount of the grant award changed annually was and informed by Mr. Ewusi that it did. Mr. Bigler asked if there were any guidelines on how much money to pay an individual for teaching, for example, a technician class. Mr. Ewusi stated that the Technical Committee would have to meet and get those details ironed out to ensure consistency.

MEMBERSHIP ROSTER APPROVALS

Mr. Ewusi presented the counties for roster approval. Forty-nine (49) LEPCs had submitted their rosters for approval:

Adams	Jay	Pike
Allen	Jefferson	Posey
Bartholomew	Jennings	Putnam
Boone	Johnson	Randolph
Brown	Knox	Ripley
Clinton	Kosciusko	Shelby
Dearborn	Lake	Spencer
Decatur	Laporte	Stueben
DeKalb	Lawrence	Vanderburgh
Delaware	Madison	Vigo
Dubois	Marion	Wabash
Floyd	Marshall	Warrick
Grant	Miami	Wayne
Green	Monroe	White
Hamilton	Morgan	Whitley
Hancock	Parke	
Jackson	Perry	

Commissioner Larson made a motion to approve the submitted rosters, which Commissioner Greer seconded. Following no discussion, **MOTION CARRIED.**

OLD BUSINESS

Mr. Palin reported on the Federal Register notice seeking IERC/LEPC comments on a petition submitted by the poultry industry, which was seeking exemption from the EPCRA and CERCLA reporting requirements for ammonia releases from poultry operations. He provided some background and an example of the release notification process under CERCLA and EPCRA. He stated that EPA was currently looking at emissions from different types of confined animal feeding operations, such as the poultry industry, the broiler industry, and farms utilized for growing poultry for consumption as rather than for laying eggs.

Mr. Palin indicated that there was some indication of potential for ammonia to be released from the manure litter in the barns in amounts that may exceed one hundred pounds (the reportable quantity) in a 24-hour period. He reported that, to date, research had not specifically identified any quantifiable human and health concerns. In light of that potential, the poultry folks submitted a petition to be exempted from having to report releases of named chemicals in the form of emissions from manure in barns.

Mr. Paul Brennan with the Indiana Poultry Association was in attendance and offered a brief presentation on the position of his organization. The commission determined that reporting of this kind under EPCRA would not be valuable at the present time.

Commissioner Larson made the motion that a letter be prepared for review by the committee members for submission, commenting against this proposal. Mr. Melville seconded the motion. Following no discussion, **MOTION CARRIED.**

NEW BUSINESS

Mr. Rand Hooton, LEPC Chair for Decatur County, presented a request for special funding of \$800 to assist in the purchase of a Decontamination Shower Hot Water Delivery System.

It was determined that this purchase was an allowable LEPC expense and did not require the commission's approval.

Commissioner Larson announced that on April 7–8, 2006, a second conference on Emergency Management and Higher Education, co-sponsored by IDHS and the Indiana Commission on Higher Education, would be in Lebanon at the Quality Inn. The conference would address emergency preparedness as second curriculum track in college and universities. He also mentioned that Indiana is the only state in the country that has an active body like this, and that it was the result of a commitment from the counties, businesses, universities and colleges in Indiana. Other states have contacted Indiana to inquire on how to establish such a body. Commissioner Larson indicated that the body was actively seeking new alliances and partnerships, and hopefully the conference would help facilitate this.

Commissioner Brown asked if there would be replacements for Ian and Kathy, as field representatives, and Chair Wojtalewicz indicated that there had been some discussions with IDEM, but he did not have a definitive response on any decision for the commission yet.

Mr. Roger Wolff, the outgoing (due to retirement) HAZMAT Coordinator for LaPorte County, introduced his incoming replacement, Mr. William Poag.

REPORT OF IERC FIELD REPRESENTATIVES

Mr. Ewusi reported that he was working on the committee updates for the commission. Mr. Ewusi stated he would be contacting the new members to see which committees they would be interested in. He mentioned that there were a few LEPC items needing the attention of the Policy Committee, such as for inappropriate stipend payments and data management costs for noncompliant LEPCs.

Commissioner Larson asked Mr. Ewusi to provide the new IERC members with copies of the policy manual upon their appointments.

EPA COMMENTS

None

LEPC COMMENTS

Mr. Wolff reported that he had some concerns about the loss of documents mailed to the attention of the IERC. He indicated that several documents mailed to the IERC had not made it, even though he had received signed postcards indicating that the documents had been received. He requested that the IERC look into the matter. Mr. Rand Hooton from Decatur County LEPC, Mr. Sherman Greer from Vanderburgh County LEPC, and Mr. Dean Larson from Lake County LEPC all indicated that their LEPCs had at some time had similar experiences. Chair Wojtalewicz stated that he and Ian would look into the process of exactly how mail gets from an LEPC to the IERC, and they would report this to the commission.

Commissioner Brown stated that this is one of the reasons that additional staff is required in the field. Chair Wojtalewicz stated that IDHS was exploring the possibility of using IDHS field coordinators to assist in the management of the LEPCs.

Mr. Gary McDaniel, Chair of Kosciusko County LEPC, presented the following three new proposals for the commission to consider:

1. Allow safety officer certification through fire services for individuals with HAZMAT technician training or create a HAZMAT safety officer certification that parallels fire service. Mr. McDaniel stated that this was necessary because every HAZMAT incident required the appointment of a safety officer but currently, to receive safety officer certification within the state, one had to be a member of a fire department and have basic firefighting, firefighter I and II, fire officer I, strategy and tactics training to receive that certification. He indicated that there were several people on HAZMAT teams with HAZMAT certification training who did not meet the aforementioned.
2. Allow in-service time for recertification for HAZMAT awareness and operations level; extend the period of time for recertification to two years; and also allow in-service time for recertification for technician level every year. Mr. McDaniel stated that this was necessary because the current requirement requires refresher training or a show of competency every year to receive recertification, while first responders and emergency medical technicians have in-service times, which counts for their recertification every two years.
3. Allow anyone who completes the federal government technician level classes in Anniston, Alabama, to be awarded state certification as a HAZMAT technician. Mr. McDaniel explained that the federal course combines classroom training and several hands-on exercises, and culminates in a final day of practical and written evaluations. The training covers the eight-step exercises for HAZMAT incident management, which includes site management and control, identifying the problem, hazard risk evaluations, selecting personal protective equipment, information management, resources, etc.

Mr. Bigler stated that the commission had no authority with the HAZMAT certification process and that the federal course in question was tailored for weapons of mass

destruction issues, and not technical-level courses at the HAZMAT technician level. He stated that the other issues raised by Mr. McDaniel were strictly between OSHA, the employer and the employee in accordance with 19-10-1-20. Commissioner Larson stated that OSHA says that after 18-months of receiving certification, one must start all over again. He referred Mr. McDaniel to OSHA's website, which lists the standards.

NEXT MEETING TIME AND LOCATION

The next meeting was announced: May 8, 2006, at 1:00 PM in the Indiana Government Center Conference Rooms 1 and 2.

Mr. Ewusi stated that some LEPCs had inquired as to why all of the IERC meetings are currently held in Indianapolis instead of moving around as done in the past. The issue was tabled to be discussed at a later date.

Following no further discussion or business, Chair Wojtalewicz thanked the commission members and audience for attending the meeting.

ADJOURNMENT

Chair Wojtalewicz called for a motion to adjourn the meeting. A motion was made by Commissioner Brown and seconded by Commissioner Greer to adjourn the meeting. Following no discussion, **MOTION CARRIED.**

THE MEETING WAS ADJOURNED.

Cliff Wojtalewicz, Chairman